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Attorney for Plaintiff Kimberly Cox

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

KIMBERLY COX,

PLAINTIFF,

v.

OLD REPUBLIC NATIONAL TITLE INSURANCE  
COMPANY, *et al.*;

Defendants.

Case No. 5:15-cv-02253-BLF

~~[Proposed]~~ ORDER ON STIPULATION TO CEASE AND  
DESIST FORECLOSURE ACTS DURING THE PENDENCY  
OF THIS ACTION

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, NEW PENN FINANCIAL, LLC d/b/a  
SHELLPOINT MORTGAGE SERVICING and THE BANK OF NEW YORK MELLON CORPORATION f/k/a  
THE BANK OF NEW YORK COMPANY, INC., AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS  
INC - CHL MORTGAGE PASS-THROUGH TRUST 2005-02 (collectively "Defendants"), through their  
respective counsel, have each agreed, pursuant to the executed stipulation attached hereto as  
Exhibit "1", to cease and desist from any present and future foreclosure acts during the pendency of  
this action subject to KIMBERLY COX ("Plaintiff") taking her Motion for a Preliminary Injunction off  
calendar which she did.

**ORDER**

IT IS SO ORDERED that Defendants, their agents or assigns are hereby enjoined as stipulated during the pendency of this action or until otherwise ordered by the Court.

The August 20, 2015 preliminary injunction hearing is hereby VACATED. The case management conference and associated deadlines remain on calendar.

Dated: June 15, 2015

  
United States District Court Judge

**Exhibit “1”**

Ronald H. Freshman, CA Bar No. 225136  
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 E-mail: ronfreshman@gmail.com  
 Attorney for Plaintiff Kimberly Cox

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

KIMBERLY COX,	) Case No. 5:15-cv-02253-NC
	)
PLAINTIFF,	) STIPULATION TO CEASE AND DESIST FORECLOSURE
v.	) ACTS DURING THE PENDENCY OF THIS ACTION
	)
OLD REPUBLIC NATIONAL TITLE INSURANCE	)
COMPANY;	)
	)
NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT	)
MORTGAGE SERVICING;	)
	)
THE BANK OF NEW YORK MELLON	)
CORPORATION f/k/a THE BANK OF NEW YORK	)
COMPANY, INC., AS TRUSTEE FOR THE	)
CERTIFICATEHOLDERS OF CWMBS INC - CHL	)
MORTGAGE PASS-THROUGH TRUST 2005-02;	)
and,	)
	)
MORTGAGE ELECTRONIC REGISTRATION	) Hearing Date: June 24, 2015
SYSTEMS, INC.,	) Time: 1:00 p.m.
	) Dept: Courtroom 7, 4 <sup>th</sup> Floor
Defendants.	) Judge: Hon. Nathanael M. Cousins

Defendants OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, NEW PENN FINANCIAL,  
 LLC d/b/a SHELLPOINT MORTGAGE SERVICING and THE BANK OF NEW YORK MELLON  
 CORPORATION f/k/a THE BANK OF NEW YORK COMPANY, INC., AS TRUSTEE FOR THE

CERTIFICATEHOLDERS OF CWMBS INC - CHL MORTGAGE PASS-THROUGH TRUST 2005-02, through their respective attorneys, have each agreed to cease and desist from any present and future foreclosure acts during the pendency of this action which includes, but is not thereby limited to: recording any documents related to the subject Property and conducting a Trustee's Sale pursuant to the currently recorded, or any other Notice of Trustee's Sale.

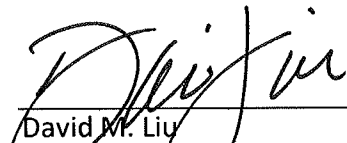
Accordingly, Plaintiff through her counsel agrees to take the Motion for a Preliminary Injunction currently scheduled to be heard on June 24, 2015 off calendar subject to all parties' execution of this agreement.

IT IS SO STIPULATED:

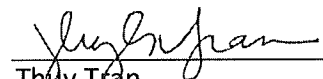
Dated: June 1, 2015

  
 Ronald H. Freshman  
 Attorney for Plaintiff KIMBERLY COX

Dated: June 2, 2015

  
 David M. Liu  
 Attorney for Defendant Old Republic  
 National Title Insurance Company

Dated: June 2, 2015

  
 Thuy Tran  
 Attorney for New Penn Financial, LLC  
 d/b/a Shellpoint Mortgage Servicing  
 and The Bank of New York Mellon  
 Corporation as Trustee for the  
 Certificateholders of CWMBS Inc -  
 CHL Mortgage Pass-Through Trust  
 2005-02

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OLD REPUBLIC NATIONAL TITLE INSURANCE  
COMPANY, *et al.*;

Defendants.

Case No. 5:15-cv-02253-BLF

**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Diego, State of California. My business address is 3040 Skycrest Drive, Fallbrook, CA 92028.

On June 14, 2015, I served true copies of the following document(s) on the following parties in this action.

**DOCUMENTS:**

[Proposed] ORDER ON STIPULATION TO CEASE AND DESIST FORECLOSURE ACTS DURING THE PENDENCY OF THIS ACTION

**PARTIES SERVED:**

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
C/O Severson & Werson  
Attn: David M. Liu  
The Atrium  
19100 Von Karman Ave., Suite 700  
Irvine, CA 92612;

1 NEW PENN FINANCIAL, LLC d/b/a SHELLPOINT MORTGAGE SERVICING  
2 C/O Yu Mohandesi, LLP  
3 Attn: Thuy N. Tran  
4 633 West Fifth St., Suite 2800  
5 Los Angeles, CA 90071;


6 THE BANK OF NEW YORK MELLON CORPORATION AS TRUSTEE FOR THE  
7 CERTIFICATEHOLDERS OF CWMBS INC - CHL MORTGAGE PASS-THROUGH TRUST 2005-02  
8 C/O Yu Mohandesi, LLP  
9 Attn: Thuy N. Tran  
10 633 West Fifth St., Suite 2800  
11 Los Angeles, CA 90071; and

12 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,  
13 C/O Severson & Werson  
14 Attn: David E. Pinch  
15 One Embarcadero Center, Site 2600  
16 San Francisco, CA 94111

17 **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the  
18 Clerk of the Court by using the CM/ECF system. Participants in the case who are registered  
19 CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered  
20 CM/ECF users will be served by mail or by other means permitted by the court rules.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct. I declare that I am employed in the office of a member of the bar of this  
23 Court at whose direction the service was made.

24 Executed on June 14, 2015, at Fallbrook, CA.

25 

26 Ronald H. Freshman, Esq.  
Attorney for Kimberly Cox